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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. | | |
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| 10/667,305 | 09/23/2003 | Nobuyuki Satoh | 243012US2 | 9273 | | |
| 22850 | 22850 7590 12/14/2005 | | | EXAMINER | | |
| OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314 | | | PHAM, HAI CHI | | | |
| | | | ART UNIT | PAPER NUMBER | | |
| | | | 2861 | | | |
| | | | DATE MAILED: 12/14/2005 | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary 10/667,305 | • | | Application No. | Applicant(s) | | | | | |
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| Hali C. Pham Hali C. Pham Ball | Office Action Summary | | 10/667,305 | SATOH, NOBUYUKI | (m) | | | | |
| The MAILING DATE of this communication appears on the cover sheet with the correspondence address = Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Betweinsor dorn many be waiting the index of the protection of 30 °FR11-30°C, in no event, however, may a maply be timely filed in the protection of the protection of 30 °FR11-30°C, in no event, however, may a maply be timely filed it NO period for reply is specified above, the maximum statutory period will apply and well expire SIX (8) MONTHS from the mailing date of this communication. Failuse to reply within the set or created period for reply in specified above, the maximum statutory period will apply and well expire SIX (8) MONTHS from the mailing date of this communication. Failuse to reply within the set or created period for reply will, by statuse, came application described the protection of the communication (s) filed on 93 October 2005. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-16 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1-16 is/are pending in the application. 4pilocation Papers 9) The specification is objected to by the Examiner. Claim(s) is/are objected to restriction and/or election requirement. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 1) The oath or declaration is objected to by the Examiner. Note the advanced protection of the priority documents have been received in Application No | | | Examiner | Art Unit | | | | | |
| A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Examplions of lone may be available under the provisions of 37 CF1 1-33(b). In no event, however, may a reity be timely like a provision of the provision of the provision of 37 CF1 1-33(b). In no event, however, may a reity be timely like in the provision of | | | Hai C. Pham | 2861 | | | | | |
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| WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provision of 30° FR1138(b). In or event, however, may a reply be simely lifed after SIX 69) MONTHS from the mailing date of fins communication. 40° And the provision of the provision of the communication of the | | | | | | | | | |
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| 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date. 5) Notice of Informal Patent Application (PTO-152) | Attachmen | it(s) | | | | | | | |
| 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152) | | | | | | | | | |
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DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:
 The specification shall conclude with one or more claims particularly pointing out

and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1:

 The following limitation "draw a reference position mark alongside the moiré stripes" at line 10 appears to be vague in that it would require a plurality of the reference position marks since a plurality of moiré stripes are formed.

Claim 2:

The following limitation "computes an amount of position of the light beams ... in response to comparison between position of the moiré stripes and position of the reference position mark" appears to be misleading in that it suggests that the plural moiré stripes are compared to a single reference position mark. The shift of each of the black stripes is determined by comparing the position of each of the moiré stripes with the position of the corresponding reference position mark, e.g., reference position marks 45 as shown in Fig. 7. In other words, it requires a plurality of reference positions marks in order to carry out the correction of the position of the light beams.

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Claim 3:

• Similarly, the following limitation "adjusts the position of the light beams ... according to comparison between position of the moiré stripes and position of the reference position mark" appears to be misleading in that it suggests that the plural moiré stripes are compared to a single reference position mark. The shift of each of the black stripes is determined by comparing the position of each of the moiré stripes with the position of the corresponding reference position mark, e.g., reference position marks 45 as shown in Fig. 7.

Claim 8:

• Similarly, the following limitation "adjust positions of the light beams ... according to a comparison between a position of the moiré stripes and a position of the reference position mark" appears to be misleading in that it suggests that the plural moiré stripes are compared to a single reference position mark. The shift of each of the black stripes is determined by comparing the position of each of the moiré stripes with the position of the corresponding reference position mark, e.g., reference position marks 45 as shown in Fig. 7.

Claim 9:

 The following limitation "draw a reference position mark alongside the moiré stripes" at line 10 appears to be vague in that it would require a plurality of the reference position marks since a plurality of moiré stripes are formed.

Claim 10:

 The following limitation "computing an amount of correction of position of the light beams ... in response to comparison between position of the moiré stripes and Application/Control Number: 10/667,305

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position of the reference position mark" appears to be misleading in that it suggests that the plural moiré stripes are compared to a single reference position mark. The shift of each of the black stripes is determined by comparing the position of each of the moiré stripes with the position of the corresponding reference position mark, e.g., reference position marks 45 as shown in Fig. 7.

<u>Claim 11:</u>

• Similarly, the following limitation "adjusting position of the light beams ... according to comparison between position of the moiré stripes and position of the reference position mark" appears to be misleading in that it suggests that the plural moiré stripes are compared to a single reference position mark. The shift of each of the black stripes is determined by comparing the position of each of the moiré stripes with the position of the corresponding reference position mark, e.g., reference position marks 45 as shown in Fig. 7.

Claim 16:

• The following limitation "adjusting the positions of the light beams ... according to a comparison between a position of the moiré stripes and a position of the reference position mark" appears to be misleading in that it suggests that the plural moiré stripes are compared to a single reference position mark. The shift of each of the black stripes is determined by comparing the position of each of the moiré stripes with the position of the corresponding reference position mark, e.g., reference position marks 45 as shown in Fig. 7.

Claims 4-7 and 12-15 are dependent from claims 2 and 10 above and are therefore indefinite.

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Appropriate correction is required.

Pertinent Prior Art

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shimizu et al. (JP 10-115955) discloses a positional deviation detecting method for detecting and correcting the positions of the light beams in the main and subscanning directions based on the detection of the moiré stripes formed between slanted lines.

Shimada et al. (U.S. 6,310,637) discloses a method for printing test patterns having two sets of parallel lines inclined with respect to each other to create moiré stripes for adjusting the print timing with a high accuracy.

Response to Arguments

4. Applicant's arguments with respect to claims 1-16 have been considered but are most in view of the new grounds of rejection.

Response to Arguments

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai C. Pham whose telephone number is (571) 272-2260. The examiner can normally be reached on M-F 8:30AM - 5:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Talbott can be reached on (571) 272-1934. The fax phone number

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for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic

Har chi Phans

Business Center (EBC) at 866-217-9197 (toll-free).

HAI PHAM PRIMARY EXAMINER December 6, 2005